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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

KENNETH G. FLOYD,
Plaintiff,

v.

BERNARD "SKIP" WHALEN AREA
LOCAL, AMERICAN POSTAL WORKER
UNION LOCAL #71,
Defendant.

CASE NO.: C07-05993 HRL

**DECLINATION TO PROCEED BEFORE
A MAGISTRATE JUDGE AND
REQUEST FOR REASSIGNMENT TO A
UNITED STATES DISTRICT JUDGE**

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: March 6, 2008

Respectfully submitted,

ALTSHULER BERZON LLP

/s/ Jonathan Weissglass
Jonathan Weissglass

PROOF OF SERVICE

I am employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within action; my business address is 177 Post Street, Suite 300, San Francisco, California 94108. On March 6, 2008, I served the following documents:

**DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND
REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE**

By First Class Mail: I am readily familiar with the ordinary business practices of Altshuler Berzon LLP for the collection and processing of correspondence for mailing with the United States Postal Service. I sealed and placed each such envelope, with first-class postage thereon fully prepaid, for collection and mailing to the office of the addressee on the date shown herein in San Francisco, California.

ADDRESSEE

David L. Samuelson, Esq.
894 Independence Avenue, Suite 2D
Mountain View, CA 94043

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this March 6, 2008, at San Francisco, California.

/s/ Sally Mendez
Sally Mendez